

**Amendments to the Claims**

1. (currently amended) A method for automatic firmware image recovery, comprising:

determining that a firmware image for server management operational code in a recipient system needs to be replaced;

sending a message over a network by the recipient system, wherein the message requests a compatible replacement firmware image;

negotiating with a donor system based on a received acknowledgement that the donor system has a compatible image, using a predetermined policy to select the donor system from a set of at least one donor system having a compatible image, wherein at least one donor server of the set of at least one donor system sends an acknowledgement to the recipient system in response to the sent message;

uploading a compatible image sent by the donor system to the recipient system; and

updating the recipient system firmware with the uploaded compatible image.

2. (currently amended) The method as recited in claim 1, wherein negotiating comprises:

receiving a message request by at least one donor system ~~on~~ in the network;

determining whether the donor system has a compatible image;

if when the donor system has a compatible image, sending an acknowledgement and offer to the recipient system; and

then performing the uploading a of the compatible image to the recipient system.

3. (original) The method as recited in claim 1, wherein the network is selected from the group consisting of a wired and unwired network.

4. (original) The method as recited in claim 1, wherein the message is sent via an out-of-band (OOB) connection.

5. (original) The method as recited in claim 4, wherein a baseboard management controller residing on the recipient system is capable of communicating to donor systems via at least one communication means, wherein the communication means is selected from a group consisting of a local area network (LAN), a wireless access point, a wired inter-chassis management bus (ICMB), and a Bluetooth® protocol wireless network.

6. (original) The method as recited in claim 1, wherein the donor system comprises a management console.

7. (original) The method as recited in claim 1, wherein the donor system comprises a peer server in the network.

8. (currently amended) A machine accessible medium containing instructions that, when executed, cause a machine to:

determine that a firmware image for server management operational code in a recipient system needs to be replaced;

send a message over a network, wherein the message requests a compatible replacement firmware image;

negotiate with a donor system based on a received acknowledgement that the donor system has a compatible image, using a predetermined policy to select the donor system from a set of at least one donor system having a compatible image, wherein at least one donor system of

the set of at least one donor system sends an acknowledgement to the recipient system in response to the sent message;

upload a compatible image sent by the donor system to the recipient system; and  
update the recipient system firmware with the uploaded compatible image.

9. (original) The machine accessible medium as recited in claim 8, wherein the network is selected from a group consisting of a wired and unwired network.

10. (original) The machine accessible medium as recited in claim 8, wherein the message is sent via an out-of-band (OOB) connection.

11. (original) The machine accessible medium as recited in claim 10, wherein a baseboard management controller residing on the recipient system is capable of communicating to donor systems via at least one communication means, wherein the communication means is selected from a group consisting of a local area network (LAN), a wireless access point, a wired inter-chassis management bus (ICMB), and a Bluetooth® protocol wireless network.

12. (original) The machine accessible medium as recited in claim 8, wherein the donor system comprises a management console.

13. (original) The machine accessible medium as recited in claim 8, wherein the donor system comprises a peer server in the network.

14. (currently amended) A machine accessible medium containing instructions that, when executed, cause a machine to:

receive a message over a network, the message sent by a recipient system requesting an updated firmware image;

determine by a donor system whether a compatible image to the requested updated firmware image is available;

if when the donor system has a compatible image, negotiate with the recipient system, the recipient system to use using a predetermined policy to select the donor system from at least one donor system having a compatible image; and

if when the donor system is selected from the at least one donor system having a compatible image, upload the compatible image to the recipient system.

15. (original) The machine accessible medium as recited in claim 14, wherein negotiating comprises instructions that cause the machine to:

send an acknowledgement offer to the recipient system; and  
receive an acceptance acknowledgement for the offer.

16. (currently amended) A system for automatic firmware image update, comprising:

a recipient server having at least one processor;  
a baseboard management controller (BMC) operatively coupled to the at least one processor, wherein the BMC comprises a BMC processor, a memory operatively coupled to the BMC processor, a communication interface enabling at least one of wireless network, chassis management bus and local area network communication; and

executable code loaded in memory accessible to the BMC processor that when executed enables the BMC to:

determine whether operational firmware requires update;  
send a request for an updated image via a network communication interface to a donor server ~~on~~ in the network;

negotiate with the donor server for a compatible image using a predetermined policy to select the donor server from a set of at least one donor server having a compatible image; and

load an updated compatible image in non-volatile memory on the BMC.

17. (original) The system as recited in claim 16, wherein the request is sent via an out-of-band (OOB) connection.

18. (original) The system as recited in claim 16, wherein the donor system comprises a management console.

19. (original) The system as recited in claim 16, wherein the donor system comprises a peer server in the network.

20. (currently amended) A method for providing a firmware image, comprising:  
receiving a message over a network, the message sent by a recipient system requesting an updated firmware image;

determining by a donor system whether a compatible image is available;

if when the donor system has a compatible image, negotiating with the recipient system using a predetermined policy to select the donor system from at least one donor system having a compatible image; and

if the donor system is selected from the at least one donor system having a compatible image, uploading the compatible image to the recipient system.

21. (original) The method as recited in claim 20, wherein negotiating comprises:

sending an acknowledgement offer to the recipient system; and

receiving an acceptance acknowledgement for the offer.

22. (original) The method as recited in claim 20, wherein the network is selected from the group consisting of a wired and unwired network.

23. (original) The method as recited in claim 20, wherein the message is sent via an out-of-band (OOB) connection.

24. (original) The method as recited in claim 20, wherein the donor system comprises a management console.

25. (original) The method as recited in claim 20, wherein the donor system comprises a peer server in the network.